

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VIKRAM VALAME,

Plaintiff,

v.

JOSEPH R. BIDEN, President of the United
States, *et. al.*,

Defendants.

CASE NO. 5:23-cv-3018 NC

**[PROPOSED] ORDER GRANTING
TEMPORARY RESTRAINING
ORDER**

Upon consideration of the Plaintiff's application for a Temporary Restraining Order submitted January 19th, 2024, and for good cause shown, the Court hereby

FINDS that

- A. Plaintiff has shown serious questions going to the merits of his claims arising under the Equal Rights Amendment and the Administrative Procedures Act.
 - B. Irreparable Stigmatic, constitutional, and other injuries will be inflicted upon Plaintiff should defendants be allowed to alter the status quo by revoking his tentative offer of employment. These injuries are irreparable because money damages following trial are either unavailable or unable to compensate Plaintiff for the unconstitutional actions against him.
 - C. The Public Interest favors maintaining the status quo pending a further of the merits, given the weighty public interest in eradicating discrimination.
 - D. Plaintiff has given notice of his application to counsel for defendants in writing
- Therefore, the Court hereby

ORDERS that

- A. Defendants, their officers, employees, and all others acting in active concert with them having notice of this order are prohibited from taking or causing to be taken any adverse employment action against Plaintiff Vikram Valame based on his failure to

1 register with the Selective Service System.

2 B. The Officials “personally responsible for compliance” with this order under 5 U.S.C.
3 §702 are the Director of the Selective Service System and Debby Hackett, Sr. Human
4 Resources Specialist of the Nuclear Regulatory Commission.

5 C. Plaintiff is directed to promptly provide a copy of this order to Debby Hackett.

6 D. This order shall expire of its own force 14 days from the date it was entered.

7 **PRELIMINARY INJUNCTION**

8 E. A hearing is set before this Court in the United States Courthouse located San Jose
9 Courthouse, Courtroom 5 – 4th Floor 280 South 1st Street, San Jose, CA 95113 on
10 January ____, 2024 at 11:00 am or at such other time that this Court deems
11 appropriate, via a zoom videoconference. The hearing will be on Plaintiff’s motion for
12 a Preliminary Injunction restraining Defendant, its officers, employees, agents, and all
13 persons in active concert with them from engaging in the activities that are subject of
14 the above Temporary Restraining Order

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16 **IT IS SO ORDERED**

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18 DATED: _____, 2024

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20 NATHANAEL COUSINS
21 United States Magistrate Judge
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